

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Kyle L. Gregory,

Plaintiff,

v.

Case No. 2:16-cv-334

Commissioner of  
Social Security,

Defendant.

ORDER

This matter is before the court for consideration of the April 18, 2016, report and recommendation of the United States magistrate judge to whom this case was referred pursuant to 28 U.S.C. §636(b). The magistrate judge recommended that plaintiff's motion for leave to proceed *in forma pauperis* be denied.

The report and recommendation specifically advised the parties that failure to object to the report and recommendation within fourteen days of the report "will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo* and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation." Doc. 2, p. 2. The time period for filing objections to the report and recommendation has expired, and no party has objected to the report and recommendation.

The court adopts the report and recommendation of the magistrate judge (Doc. 2). Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. 1) is denied. Plaintiff is ordered to pay the \$400 filing fee no later than June 6, 2016. Plaintiff is

advised that failure to timely pay the filing fee will result in the dismissal of this action without prejudice for failure to prosecute.

Date: May 6, 2016

s/James L. Graham  
James L. Graham  
United States District Judge